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COMMITTEE ON THE RIGHTS OF THE CHILD

Fourth session

SUMMARY RECORD OF THE FIRST PART (PUBLIC)* OF THE 100th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 6 October 1993, at 3 p.m.

Chairman: Mrs. BADRAN

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* The summary record of the second part (closed) appears as document CRC/C/SR.100/Add.1

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The meeting was called to order at 3.15 p.m.

WORLD CONFERENCE ON HUMAN RIGHTS (agenda item 9) (continued)

1. Mrs. SANTOS PAIS proposed that in the light of the targets set by the World Conference on Human Rights, the Committee should make specific suggestions in relation to: the universal ratification of the Convention by 1995 and its effective implementation; the withdrawal of reservations incompatible with the purposes and objects of the Convention and contrary to the rules of international law; the need for States to integrate the Convention into their national plans of action; the need for the rights of the girl-child to be effectively protected and promoted; the need for a study on the question of raising the minimum age of recruitment into the armed forces; the need for the Committee to carry out its mandate expeditiously and effectively; the need for the United Nations system to review and monitor the situation of children and human rights regularly, and the role of non-governmental organizations in the framework of the Convention.

2. Mr. KOLOSOV, noting that the World Conference concerned not only Governments but the United Nations system as a whole, and that the Committee was already cooperating closely with many United Nations specialized agencies, said that it would be useful for the Committee to be kept informed of relevant matters to be considered at the annual assemblies of such agencies in order to ensure feedback and the exchange of information.

3. Mr. HAMMARBERG pointed out that closer contact and cooperation was already taking place as a result of the World Conference and suggested that that process might be further assisted if the Committee ensured that its approach was based on a common understanding of what was beneficial for the rights of the child by defining major targets to be achieved by the end of 1995, including: achieving the universal ratification of the Convention and the withdrawal of reservations incompatible with its purposes and objects; ensuring that reports of quality were submitted to the Committee on time; enabling the Committee to function competently while ensuring standards of quality and avoiding a backlog in its workload; taking further measures to promote national implementation of the Convention, and increasing international cooperation, including economic and development assistance, in the context of article 4 of the Convention.

4. Mrs. KLEIN BIDMON (Centre for Human Rights) informed the Committee that when the Vienna Declaration and Programme of Action (A/CONF/157/23) was submitted by the Secretary-General of the United Nations to the General Assembly at its current session, the Secretariat would submit as an annex to the report of the Secretary-General a document setting out, section by section, the practical action required to ensure the implementation of the Programme of Action, together with the relevant programme budget implications. On the basis of the Programme of Action, the Secretariat recognized that the activities relating to the rights of the child would require additional staff to service the Committee and that additional meeting time would be necessary for the Committee. The Committee, like other human rights treaty bodies,

would benefit from the establishment of a permanent data base. As the Secretariat was also aware that reporting was an essential aspect of the human rights treaty system and that everything possible should be done to encourage and assist States in the timely preparation of reports of quality, it recognized that workshop and seminar activities should be increased in the regions and subregions. The importance of including non-governmental organizations in the implementation process was also recognized and, in that context, regional meetings with non-governmental organizations would provide an opportunity for dialogue with increased capabilities by them.

5. In conclusion, in the context of cooperation within the United Nations system, she drew attention to the inter-agency meeting, convened on 7 October 1993 by the Secretary-General of the World Conference on Human Rights to discuss follow-up action.

6. Mrs. SANTOS PAIS underlined the great expectations placed by the Committee in the meetings planned for the first week of January 1994 at ILO Headquarters. That could serve as a first step towards periodic inter-agency encounters. The Committee must act as a catalyst to ensure that the provisions of the Convention had a real impact at country level. It would also be an opportunity to learn more about the programmes developed, progress made and difficulties encountered by the specialized agencies in their work on related subjects. Finally, such interaction would give impetus to technical assistance. She hoped that the importance that the Committee attached to inter-agency contacts would be reflected in the report of the fourth session.

7. The CHAIRPERSON said that work in that area would thus be two dimensional. The document referred to by Mrs. Klein-Bidmon would serve as a point of departure for setting out the Committee's concrete future activities. In the meantime, the Committee could proceed along the lines suggested by Mrs. Santos Pais and Mr. Hammarberg.

GENERAL DISCUSSION ON "PROTECTION OF THE CHILD AGAINST ECONOMIC EXPLOITATION" (agenda item 11) (continued)

8. Mr. HAMMARBERG said that the Committee should issue a statement for the media indicating the outcome of the discussion and reviewing main points, proposals for action and conclusions. In his view, a working group should also be established to examine the recommendations and analyses distilled from the discussion as well as to produce a document. The concluding part of the working group's document could then serve as the last chapter of a publication by the Committee and concrete proposals could be placed on the agenda of future sessions. If such a publication could be prepared, the Committee must discuss what it wished to include.

9. He recalled that the Committee had drafted a one-page note which had been circulated to the press. Later, at the press briefing, Mrs. Belembaogo, Mgr. Bambaren Gastelumendi and himself had made some remarks and answered questions. About 20 journalists had been present, and many questions had been asked, but the journalists had not always been satisfied with the replies. Nevertheless, the press briefing had served its purpose. The Committee's

approach to the media was not yet entirely successful, and it needed to learn from its experience. But it was difficult to attract interest to an ongoing event and to give information on it before it was over; on the other hand, had the Committee waited until the end of the meeting, the results would no longer have been newsworthy. Perhaps the best way to attract good publicity was to entertain individual contacts with journalists working on feature articles.

10. Mrs. SANTOS PAIS said that she had been at the press conference and had the impression that it had been a success. The statements by the Committee had attracted media interest, and it was precisely for that reason that the press wanted a statement from the Committee at the current time. That was very positive. The fact of the matter was that the general discussion had made it possible for the meeting to be a success: there had never been so many Governments or specialized agencies present, including IMF and UNESCO, and numerous NGOs had also attended. She agreed with the proposal to establish a working group; the pre-sessional meeting in November would be a good opportunity to develop ideas on what should be discussed at the next session in January 1994. The Committee should also try to find a way to produce a publication on the general discussion. Such a document would serve as a reference.

11. She agreed on the need to establish a working group and to produce a publication summarizing the discussion, but she wondered how that could be reflected in the report of the session.

12. Mrs. BELEMBAOGO agreed with Mrs. Santos Pais on the usefulness of preparing a statement in the wake of the general discussion on the economic exploitation of children. The Committee had succeeded in attracting the attention of the media for a debate on a particular subject. After the press conference, a number of journalists had requested interviews from members of the Committee on more specific topics. Thus, the interest manifested by the media before the discussions had not waned. The expectations created by the Committee must be met. It would be a shame to close the session without a statement on the Committee's conclusions on the general discussion. She also felt that a publication should be produced on the day's discussions, including suggestions and recommendations to States, United Nations bodies and NGOs. If the Committee adopted that approach, it would receive a positive response.

13. Mgr. BAMBAREN GASTELUMENDI agreed with Mrs. Belembaogo. Much interest had been generated by the discussion. A final statement was needed. A publication would serve as a working tool in many countries, because the topic was of crucial importance. Furthermore, such a document would underscore the importance that the Committee attached to the problem.

14. Mr. PICARD (International Labour Organisation), referring to the proposal to establish a working group to continue consideration of the protection of children against economic exploitation, recalled that at the general discussion, the representative of the World Health Organization had stressed that the Committee should try to use the momentum created to improve inter-agency coordination, including with the Committee, on relevant

questions. A working group could harness the efforts of the relevant specialized agencies, which could make a concrete and practical contribution to the work of the Committee.

15. Mr. Hammarberg had approached him to ask whether ILO might be prepared to help with the publication of a document. He had consulted with ILO officials, who had given their agreement in principle. The Committee should see how that agreement in principle could be realized in practice.

16. The CHAIRPERSON asked Mr. Hammarberg, Mrs. Santos Pais, Mrs. Belembaogo and Mgr. Bambaren Gastelumendi to constitute a working group, which would draft a statement for the media and work on a publication containing a summary of the discussion and conclusions.

METHODS OF WORK OF THE COMMITTEE (agenda item 12) (continued)

Requests by the Committee for further information from States parties

17. Mrs. SANTOS PAIS, observing that the possibility of the Committee formulating suggestions and recommendations to States parties and asking States parties for information and comments on them had been envisaged in the provisional rules of procedure, stressed the importance of thus promoting the reporting system as a dynamic process by which, inter alia, to launch a dialogue at national level, ensure dissemination of country reports and, through the Committee's concluding observations and recommendations, to make States parties aware of areas about which concern had been expressed by the Committee and in which some reaction was expected. It was important in that respect to set a time limit for information, which would be useful to both State parties and the Committee.

18. Mgr. BAMBAREN GASTELUMENDI, noting that the reports submitted so far had tended to be prepared solely by government officials, stressed the need for popular participation and input by non-governmental organizations in both the preparation and subsequent dissemination of country reports.

19. Mr. HAMMARBERG referred to the need to consider further the question of technical advice and assistance, particularly in the context of article 45 (b) of the Convention, and hoped that the matter might be discussed at the inter-agency meeting to be held in January 1994. The question of the advisory services which could be made available by the United Nations Secretariat in relation to the drafting of reports might also be further clarified, as might that of the substantive assistance available in relation to implementation of the provisions of the Convention.

Forthcoming major conferences and events

20. The CHAIRPERSON noted that Mr. Mombeshora would follow up matters relating to the 1994 World Population Conference, Mrs. Eufemio those relating to the 1995 World Conference on Women, Mrs. Belembaogo those relating to the World Summit on Social Development, and Mrs. Sardenberg those relating to the International Year of the Family in 1994, and that those members would report back to the Committee.

21. Mrs. SANTOS PAIS suggest that the Committee should present a paper concerning the girl child to the World Conference on Women to be held in Beijing in 1995.

22. The CHAIRPERSON said that if there was no objection, she would take it that the Committee wished Mrs. Eufemio to prepare such a paper.

23. It was so agreed.

Possible topic for the one-day general discussion in 1994

24. Mrs. EUFEMIO said that as 1994 was the International Year of the Family and given that the Committee had stressed the importance of the family in the realization of the rights of the child, she wished to propose that a general discussion should take place on the issue of the family and its implications for the relevant articles of the Convention.

25. Mrs. BELEMBAOGO supported Mrs. Eufemio's proposal, but thought that the theme would need to be more precise. She proposed "the place of the child in the family" or "the role of the family in improving the situation of the child". In her view, the Committee might retain the proposal in general and agree on an exact theme at its November meeting.

26. Mrs. SANTOS PAIS agreed with the choice of the subject and on the need for an exact theme. In her opinion, the discussion should begin by focusing on how to help children express their views and teach families to listen to those views. That could serve as a point of departure for addressing other subjects, such as how to promote democratic attitudes and behaviour in the family and in society.

27. Mgr. BAMBAREN GASTELUMENDI said that he agreed with the proposal for a topic related to the International Year of the Family and proposed, in addition, that children should be invited to take part in the meeting. The children who had participated in the UNICEF World Summit for Children in New York had shown just how serious, direct and resourceful young people could be.

28. Mr. HAMMARBERG said that it was important for children to participate but it was also risky because they were often used as decoration instead of being respected as real participants in the discussions. The World Summit for Children had been a ceremonial event and was not really comparable. Another problem was which children to choose. The Committee should not be seen as hand-picking children for presentation as examples or representatives. Video documentaries usually presented children in a context where they were more at ease than in a United Nations conference room.

29. With regard to themes, he was in favour of a more focused approach to the child and the family idea, bringing in perhaps the idea of the physical integrity of the child. He noted that the problem of family breakdown had also been a key factor in the campaign for the International Year of the Family. At all events, he regretted that those topics would be taken up by the Committee late in 1994 rather than prior to the launching of the Year.

30. In his view, there were many other pressing issues to be addressed, in particular the rights of the child in relation to the administration of juvenile justice. The Committee would benefit from cooperation with other United Nations bodies in its discussions with Governments on that issue.

31. The CHAIRPERSON suggested that a decision on the matter should be deferred until a later meeting.

32. It was so agreed.

OTHER MATTERS (agenda item 15)

Events in connection with the International Day for the Eradication of Poverty

33. Mr. ROMAZZOTTI (International Movement ATD Fourth World) said that the International Movement ATD Fourth World and its French branch, Mouvement Tapori, were following the work of the Committee with great interest, and he expressed his gratitude to the Committee for its openness towards NGOs and for the concern it had shown for promoting the rights of children, especially the poorest among them.

34. As part of the events planned on 17 October in connection with the International Day for the Eradication of Poverty, the United Nations Office at Geneva would host a delegation of very poor families at 4 p.m. in the Salle des pas perdus. At that time, the Mouvement Tapori, working to promote friendship among children from all parts of the world and to ensure that all children had the same chance, would present a giant Friendship Suitcase, which had been made following the adoption of the Convention on the Rights of the Child. The Friendship Suitcase, which was 2 metres high, opened like an accordion to show the artistic work of more than 3,000 children, rich and poor, from 35 countries of Africa, Asia, the Americas and Europe, and it had been travelling around the world with its message of friendship and peace, symbolizing children's rejection of poverty.

35. He trusted that the Committee would give its full support to that important event.

36. Mrs. BELEMBAOGO welcomed the announcement of the event, the first to be held in Geneva since the adoption of the International Day for the Eradication of Poverty. Often at the root of numerous violations of the rights of children, poverty constituted a main obstacle in many countries to the implementation of the Convention on the Rights of the Child. In as much as the Committee would not be present for that event, she proposed that it should send a message of support.

37. Mgr. BAMBAREN GASTELUMENDI supported Mrs. Belembaogo's suggestion, but believed that the Committee must do even more. He welcomed the participation of the International Monetary Fund in the dialogue, because the international financial institutions often did not realize the impact of economic issues. The Committee should stress that rich countries often took the view that poor countries were to blame for their own poverty. It should also mention that extreme poverty was a main cause of violations of the rights of children and

should underscore the importance of efforts by international organizations to heighten awareness of the fact that poverty was often at the source of many other problems affecting children.

38. Mrs. SANTOS PAIS also welcomed Mrs. Belembaogo's suggestion, which was an excellent way to reaffirm the right of children to participate.

39. The CHAIRPERSON said that if there was no objection, she would take it that the members of the Committee wished to send a message of support to that event.

40. It was so decided.

The public meeting rose at 4.45 p.m.